

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

IN RE: Brett T Saso

Debtor

Case No. 16-10834

Chapter 13

Hearing Date: August 25, 2016

Hearing Time: 12:30 PM

**TRUSTEE'S OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN AND REQUEST
FOR INFORMATION AND DOCUMENTS TO RESOLVE OBJECTION**

Andrea E. Celli, Chapter 13 Standing Trustee for the Northern District of New York (the "Trustee"), states the following as and for her objection to confirmation of the Chapter 13 Plan.

1. The Debtor filed the petition for relief on May 09, 2016.
2. The Debtor's Proposed Plan provides as follows:

Start	Periods	Amount	Type
06/01/2016	12.00	\$800.00	MONTHLY
Start	Periods	Amount	Type
06/01/2017	12.00	\$1,850.00	MONTHLY
Start	Periods	Amount	Type
06/01/2018	36.00	\$2,250.00	MONTHLY

so that general unsecured creditors receive the greater of:

Liquidation:	\$0.00
Disposable Income (B22C - Line 59 x 60):	\$0.00
Percentage Repayment:	100.00

3. The Trustee objects to the confirmation of the Debtor's proposed plan on the following grounds:
 - **Liquidation.** The Plan does not provide general unsecured Creditors with at least as much as they would have received if the Debtor had filed a Chapter 7 liquidation proceeding as required pursuant to 11 U.S.C. § 1325(a)(4).
 - The Trustee seeks additional information to determine the minimum liquidation value of this estate as follows:
 - Evidence of perfection of mortgages as follows: First Tennessee Bank and Chase
 - Other: Amended Schedule B must be filed to list accounts receivable disclosed in 341 meeting testimony.

- **Lien avoidance.** The Trustee seeks a resolution to Debtor's intended lien avoidance as follows:
 - Resolution of treatment of second and/or third residential mortgage.
- **Tax Returns.**
 - The Trustee request evidence of filing of the following tax returns: 2015 State and Federal

WHEREFORE, the Trustee respectfully requests that this Court issue an Order denying confirmation of the plan or briefly adjourning the hearing on confirmation to allow the movant to resolve the objection contained herein.

Dated: August 10, 2016

/s/ Andrea E. Celli
Andrea E. Celli, Chapter 13 Trustee

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AFFIDAVIT OF SERVICE
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KATIE ROBBINS, BEING DULY SWORN, DEPOSES AND SAYS: THAT SHE IS OVER THE AGE OF 18 YEARS; THAT SHE SERVED A COPY OF TRUSTEE'S OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN AND REQUEST FOR INFORMATION AND DOCUMENTS TO RESOLVE OBJECTION DATED AUGUST 10, 2016 ON THE FOLLOWING MANNERS: ON AUGUST 10, 2016.

VIA ELECTRONIC FILING:

Office of the United States Trustee
74 Chapel Street
Albany, NY 12207

JERROLD W BARTMAN
354 Ferris Road
Niskayuna, NY 12304

VIA REGULAR U.S. MAIL

Brett T Saso
169 Vineyard Ave
Highland, NY 12528-2330

BY DEPOSTING A TRUE AND CORRECT COPY OF THE SAME PROPERLY ENCLOSED IN A POST-PAID WRAPPER IN THE OFFICIAL DEPOSITORY MAINTAINED AT 7 SOUTHWOODS PLAZA, ALBANY, NEW YORK DIRECTED TO SAID PERSON(S), AT SAID ADDRESSES.

/s/ KATIE ROBBINS

KATIE ROBBINS

Sworn before me this
10th day of August, 2016

/s/ Corri A. Corning

Reg. # 01CO6341555
Notary Public - State of NY
Qualified in Rensselaer County
My Commission Expires 05/09/2020